

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
May 20, 2020**

Meeting called to order at 6:00 pm

Pledge of Allegiance

Members present: Steve Rosenthal-Chairman, Mark Denney, A.W. Himpel, Janette Labbee-Holdeman, Wolf Schmidt

Members absent: Terry Bartkoski, John Matthews, Jeff Spink, and Alex DeMoro were not scheduled to attend due to COVID-19

Staff present: Krystal Voth-Interim Director, Stephanie Sloop-Planning Coordinator, Jared Clements-Planner, David Van Parys-Senior County Counselor

Approval of Minutes:

A motion was made by Commissioner Labbee-Holdeman and seconded by Commissioner Schmidt to approve the March Planning Commission minutes.

Motion to approve passed, 5-0

Secretary's Report:

Krystal Voth explained how the meeting and public comment would be handled at this time. Ms. Voth stated that there were two cases being continued and one case was withdrawn. She also informed the Commission that the July Planning Commission needed to be rescheduled due to a conflict with the Meeting Room being used by the Board of County Commissioners. The Commission decided to reschedule for July 15, 2020. There is one item, Case DEV-20-035 – Eagle Crossing, on the consent agenda, approval of agenda will approve that case.

A motion was made by Commissioner Himpel to approve the agenda. Commissioner Schmidt seconded the motion.

Motion to approve passed, 5/0

Declarations: No Declarations

Case No. DEV-20-045

**Consideration of a Preliminary Plat for The Oakes, a 12-lot plat, on a tract of land in the South East quarter of Section 06, Township 12, Range 22 East of the 6th P.M. in Leavenworth County, Kansas. Also known as 18261 Linwood Road
Request submitted by Herring Survey**

Jared Clements presented the staff report for Case DEV-20-045.

The applicant, Herring Survey, called in for public comment and said that his applicant was good with all recommendations on the plat.

Commissioner Himpel moved that the proposed Plat outlined in Case DEV-20-045 be approved as set forth in the staff report. Commissioner Labbee Holdeman seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 5/0

Case No. DEV-20-026

Consideration of an application for a Special use Permit for an Agri-Business for Z&M Twisted Vines in the south half of the northwest quarter of Section 13, Township 12 South, Range 120 East of the 6th P.M., in Leavenworth County, Kansas.

Also known as 24305 Loring Road

Request submitted by Bryan and Gina Zesigner

****Public Hearing Required****

Krystal Voth presented the staff report for Case DEV-20-026 consideration of an application for a Special Use Permit for an Agri-Business.

The applicants, Bryan and Gina Zesigner, called in for public comment. Upon opening the public comment of the hearing Chairman Rosenthal asked for the applicant if they had any comments. Mr. Zesigner stated that he hopes the Board of County Commissioners will consider extending the payment plan for 10-years. Chairman Rosenthal asked if they agreed with all of the recommendations in the staff report. Mr. Zesigner stated that since submitting their application that their plans have changed and outlined those changes. Discussion about the application and the changes to the applicant between staff, the applicants, and the commission.

Ms. Voth stated that Planning and Zoning had received written comments in opposition of this case, those comments have been provided to the Planning Commission. With no additional information to be presented the public hearing was closed.

Commissioner Himpel made a motion to approve Case DEV-20-026 as proposed by staff and outlined in the staff report. Motion dies for lack of a second. Commissioner Denney made a motion to approve Case DEV-20-026 that conditions outlined in the staff report and adding a condition that the noise level not exceed 60 dB at the property lines. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 4/1

The Board of County Commissioners will consider this item on **June 10, 2020 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting. To be valid, the protest petition must be signed by owners of 20% of the land area in the notification area.

Planning Commission is adjourned.

Board of Zoning reconvenes.

Members present: Steve Rosenthal-Chairman, Mark Denney, A.W. Himpel, Janette Labbee-Holdeman, Wolf Schmidt

Staff present: Krystal Voth-Interim Director, Stephanie Sloop-Planning Coordinator, Jared Clements-Planner, David Van Parys-Senior County Counselor

Case No. DEV-20-030

Consideration of an application for a Variance from the Leavenworth County Zoning and Subdivision Regulations under Article 5 Section 4 which requires minimum frontage of 300' on a tract of land in the northwest quarter of Section 265, Township 7 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 00000 187th Street

Request submitted by Ryan and Noelle Pohl

*****Public Hearing Required*****

Jared Clements presented the staff report for Case DEV-20-030, an application for Variance from the Leavenworth County Zoning and Subdivision Regulations. Mr. Clements went through the Golden Factors as they pertain to this case.

The applicants, Ryan and Noelle Pohl, called in for public comment. Chairman Rosenthal opened the public comment portion of the hearing and asked if they had anything they want to add. Mr. and Mrs. Pohl said they agreed with the staff's report.

With no additional information to be presented, the public comment portion of the hearing was closed.

Commissioner Himpel moved that the proposed Variance as outlined in Case DEV-20-030 be granted. That the findings on the factors to be considered, as set forth in the staff report and as substantiated by the facts, testimony and evidence presented, be adopted by this board. Commissioner Labbee-Holdeman seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 5/0

Board of Zoning Appeals is adjourned at 7:02 PM.

DRAFT